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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/008,222

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Jonathan S. Black

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01/21/2005

MICHAEL CHAN
NCR CORPORATION
1700 SOUTH PATTERSON BLVD
DAYTON, OH 45479-0001

EXAMINER

HOFFMAN, BRANDON S

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,222

Applicant(s)

BLACK, JONATHAN S.

Examiner

Brandon Hoffman

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because they are missing a legend. One is not able to determine what is being portrayed by the drawings without a proper legend. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:
- The abstract contains reference numbers in parenthesis, which should not exist in the abstract.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Horowitz et al. (WIPO Publication No. 99/01823 A1).

Regarding claims 1 and 7, Horowitz et al. teaches a method of purchasing goods or services (via a self service terminal - SST), the method comprising the steps of:

- Encrypting transaction data stored in a first device, the data including security identification information (page 9, lines 10-20 and page 11, lines 11-15);
- Transferring the encrypted data to a device of a third party (page 11, lines 15-20);
- Allowing the third party to transfer the encrypted data to a merchant or service provider (SST) (page 11, lines 21-25); and

- Allowing the merchant or service provider (SST) to decrypt the data, verify the security identification information, and execute the transaction (page 12, lines 6-21).

Regarding claim 4, Horowitz et al. teaches a method of conducting a transaction via a self service terminal (SST), the method comprising the steps of:

- Receiving on a device encrypted transaction data from a device of a third party, the data including security identification information (page 11, lines 15-20);
- Transferring the encrypted data from the receiving device to an SST (page 11, lines 21-25); and
- Allowing the SST to decrypt the data, verify the security identification information, and execute the transaction (page 12, lines 6-21).

Regarding claim 5, Person teaches a method of operating a financial service, the method comprising the steps of:

- Providing a user with an encryption key and an identification token for use with a user device (page 12, line 22-25);
- Providing a self service terminal (SST) with a corresponding decryption key (page 12, line 25 through page 13, line 2);
- Accepting encrypted transaction data including the identification token from a device of a third party (page 12, lines 3-6);
- Decrypting the transaction data (page 12, lines 6-9);

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- Verifying the decrypted identification token (page 12, lines 9-15); and
- Executing the requested transaction (page 12, lines 15-21).

Regarding claim 6, Horowitz et al. teaches a method of using a financial service, the method comprising the steps of:

- Encrypting using a device transaction data and an identification token with an encryption key (page 9, lines 10-20 and page 11, lines 11-15); and
- Presenting the encrypted data to a financial service operator via a device of a third party (page 11, lines 21-25).

Regarding claims 8, 10, and 12, Horowitz et al. teaches a method of operating an automated teller machine (ATM) [retail facility] to allow an ATM [retail] customer to carry out a desired financial [retail] transaction through a device operated by a third party, the method comprising the steps of:

- Receiving encrypted transaction data including security identification information from the third party device which has received the encrypted transaction data from a device operated by the ATM [retail] customer (page 11, lines 15-20);
- Decrypting the encrypted transaction data including security identification information received from the third party device (page 12, lines 6-9);
- Verifying the security identification information received from the third party device (page 12, lines 9-15); and

- Executing the desired financial [retail] transaction of the ATM [retail] customer based upon the decrypted transaction data and the verified security identification information received from the third party device (page 12, lines 15-21).

Regarding claims 2, 9, 11, and 13, Horowitz et al. teaches further comprising the step of transferring transaction (financial/retail) confirmation data from the SST to the third party (page 12, lines 9-15).

Regarding claim 3, Horowitz et al. teaches further comprising the step of including data determining which third party is permitted to transfer the data to the SST (page 11, line 13 and page 12, lines 1-3).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brandon Naff

BH

E. L. Moise
EMMANUEL L. MOISE
PATENT EXAMINER